AUG 2 7 2002

Atty. Dkt. No. 047172-0170

HE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Robert J. Levy et al.

Title:

METHODS AND COMPOSITIONS FOR ENHANCING THE

DELIVERY OF A NUCLEIC ACID TO A CELL

RECEIVED

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TECH CENTER 1600/2900

Appl. No.:

09/851,327

Filing Date:

05/09/2001

Examiner:

Unassigned

Art Unit:

1645

INFORMATION DISCLOSURE STATEMENT **UNDER 37 CFR §1.56**

Commissioner for Patents Washington, D.C. 20231

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56. A copy of each listed document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a prima facie art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits, and within three (3) months of the mailing date of the foreign search report.

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RELEVANCE OF EACH DOCUMENT

All of the documents are in English.

Documents A1, A2, A9, A10, and A22 – A24 were cited in the International Search Report in Applicants' corresponding International Application PCT/US01/40706. A copy of the International Search Report is attached setting forth the portion of each document considered relevant by the examiner.

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Stephen A. Bent

Attorney for Applicants Registration No. 29,768

Date <u>August 27, 2002</u>

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